

## UNITED STATES DISTRICT COURT

## Northern District of California

Saint Francis Memorial Hospital,

08-01440 MMC

Plaintiff(s),

**NOTICE RE: NONCOMPLIANCE  
WITH COURT ORDER**

v.

Leavitt,

Defendant(s).

The parties have failed to file an ADR Certification and either a Stipulation and [Proposed] Order Selecting an ADR Process or a Notice of Need for ADR Phone Conference as required by the Initial Case Management Scheduling Order. Counsel shall Meet and Confer forthwith in an attempt to agree on an ADR process for this matter. Thereafter, counsel, on behalf of themselves and each party, promptly shall file an **ADR Certification** and either 1) a **Stipulation and [Proposed] Order Selecting ADR Process**, or 2) a **Notice of Need for ADR Phone Conference** (Civil L.R. 16-8(b), ADR L. R. 3-5(b) Civil L.R. 16-8(c), ADR L. R. 3-5(c), (d)). (These forms are available at [www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov).)

Further, in accordance with ADR L.R. 3-5(e) counsel shall concurrently provide a copy of all documents filed pursuant to this notice directly to the ADR Unit either by fax (415-522-4112), hand delivery (ADR Program, USDC, Northern District of California,

1 450 Golden Gate Avenue, 16<sup>th</sup> Floor, San Francisco, California), or by PDF attachment  
2 to an e-mail directed to [adr@cand.uscourts.gov](mailto:adr@cand.uscourts.gov).

3  
4 It is the responsibility of counsel to schedule an ADR Phone Conference, if  
5 required, to occur before the Case Management Conference.  
6  
7

8 Dated: August 7, 2008

9 RICHARD W. WIEKING  
10 Clerk  
by: Lisa M. Salvetti



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11 ADR Administrative Assistant  
12 415-522-2032  
13 lisa\_salvetti@cand.uscourts.gov  
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**PROOF OF SERVICE**

Case Name: Saint Francis Memorial Hospital v. Leavitt

Case Number: 08-01440 MMC

I declare that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California. I am over the age of eighteen (18) years and not a party to the action. My business address is:

ADR Program  
United States District Court  
Northern District of California  
450 Golden Gate Avenue Floor 16  
San Francisco, CA 94102

On August 7, 2008, I served a true and correct copy of:

**Notice Re: Noncompliance With Court Order**

[X] electronically, I caused said documents to be transmitted using ECF as specified by General Order No. 45 to the following parties:

Gary Elliot Gleicher  
Law Offices of Gary E. Gleicher  
433 N. Camden Dr.  
Ste. 730  
Beverly Hills, CA 90210  
ggleicher@aol.com

Kenneth R Marcus  
Honigman Miller Schwartz and Cohn LLP  
660 Woodward Avenue  
Suite 2290  
Detroit, MI 48226  
kmarcus@honigman.com

Julie Ann Arbuckle  
U.S. Department of Justice  
450 Golden Gate Ave., 11th Fl.  
P.O. Box 36055  
San Francisco, CA 94102  
julie.arbuckle@usdoj.gov

Jonathan C. Brumer  
U.S. Department of Health and Human Services  
Centers for Medicare and Medicaid Services Division  
330 Independence Avenue, S.W.  
Cohen building, Room 5344  
Office of General Counsel  
Washington, DC 20201  
jonathan.brumer@hhs.gov

[ ] by Facsimile, I caused said documents to be transmitted to the following parties by fax machine:

[ ] by U. S. Mail, I placed a true copy in a sealed envelope with postage fully prepaid in the United States Post Office Mail Box in San Francisco, California, addressed as follows:

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on August 7, 2008 in San Francisco, California.

RICHARD W. WIEKING  
Clerk  
by: Lisa M. Salvetti



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ADR Administrative Assistant  
415-522-2032  
lisa\_salvetti@cand.uscourts.gov